

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

KENNETH DWAYNE WILKERSON §
v. § CIVIL ACTION NO. 6:09CV191
JERRY W. BELL, ET AL. §

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed without prejudice for failure to timely effect service and for failure to prosecute. Fed.R.Civ.P. 4(m) and 41(b). No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** without prejudice for failure to timely effect service and for failure to prosecute. Fed.R.Civ.P. 4(m) and 41(b). Any motion not previously ruled on is **DENIED**.

So ORDERED and SIGNED this 26th day of October, 2009.



LEONARD DAVIS
UNITED STATES DISTRICT JUDGE